

**Karner Blue HCP
Implementation Oversight Committee (IOC) Meeting
August 10, 2005
9:00 a.m. -2:30 p.m.
American Transmission Company - Madison**

Minutes

Attending: Matt Krumenauer (Chair), Jody Gindt, Jim Zahasky, Gary Birch, Steve Richter, Jim Heap, Joel Aanensen, Crystal Fankhauser (recorder), Dave Lentz
Attending morning only: Jimmy Christenson, Darrell Zastrow, Cyndi Blalack, Lori Bowman

1. Anti-Trust Statement

- Jimmy Christenson delivered the anti-trust statement

2. Introductions

- Welcome Cyndi Blalack, DNR legal services and Jimmy's successor, and introduced Crystal Fankhauser the new HCP Data Manager.

3. Announce IOC Reps for upcoming terms.

- Ron Chamberlain (Adams County Hwy. Dept.) has accepted invitation to be an IOC alternate representative for the transportation management entity group (currently WDOT). This would provide additional perspective from the limited (local) partner group.
- A representative is still needed for Forest Industry.

Action Item: Joel is still working on this.

- Ursula Petersen will be the primary rep for DATCP, and Lori Bowman will stay on as an alternate until her replacement is found.

4. Approve minutes from 5-11-05

- The minutes were approved as written. Motion to accept by Gary Birch and Steve Richter seconded.

5. Update on field trip

It rained during field trip, but overall it went well. Landowner site visits also went well. The recognition dinner was well attended (70+ people). Matt mentioned that landowners indicated that they would like a dinner and gathering every year.

6. Oakdale Electric

Dave announced that Oakdale Electric signed a conservation agreement (SHCA), but it needs revision. Hopefully, the agreement will be finalized before the next IOC meeting (maybe before). They will be a full HCP partner. Richard Kelly is Oakdale Electric's

environmental coordinator, and he has gone through monitoring training and seems very interested in Karner conservation.

Decision: Jim Z. made a motion to include Oakdale electric as a full HCP partner, and Matt K. seconded. None were opposed.

7. Update on DNR budget process

Darrell gave a short update on the FTE data manager position for the Karner blue HCP program. Initially, the approval was given for a FTE data manager position, but no funding was allocated. Later, the funding was cut and has not been restored. However, the FY05-07 budget includes money in lieu of the position to contract services for data management. There will be about \$60,000 starting July 1st, 2006 for these services. Dialogue has been started with the Sand County Foundation about these services. The current data manager is an LTE (half-time), which isn't enough work time to perform all of the necessary tasks for the HCP.

8. RENEWING THE HCP PERMIT

Background:

Safe Harbor Agreement

In March of 2004, The Partners for Fish and Wildlife (USFWS) and Sand County Foundation requested the DNR include a "safe harbor" provision in the HCP so that landowners could create Karner habitat on their land and if KBB subsequently colonize the site, the landowner would have the assurance to change their land management at a later date without penalty. However, in order to be an attractive assurance, the agreement needs to be for a fairly long term (at least 30 years per personal conversation D. Lentz and M. Engel). How long should this agreement be in order to be useful? 30 to 50 years was mentioned during the discussions at the field trip. Cathy Carnes recommended at least 50 years. Also, when should the HCP be renewed? Now, or as late as 2009 (when it expires)? Cathy Carnes recommended that renewal begin now. Originally, it was thought that Karners would be recovered in 8-10 years, but eastern populations are not recovering as quickly as originally thought. Given that the prospect of KBB range wide recovery is not as it was when the partners signed on to an initial 10 year permit there appear to be three options:

A. Stay the Course:

- **Design review in 2006**
- **Renew before 2009 ITP expiration**

This early start will be necessary if we would like to renew the permit for greater than 10 years. The Karner will apparently not be delisted in the near future due to difficulties in the eastern populations' recovery.

B. Renew Now: Begin the renewal process now.

Lori raised the point that the HCP would lose credibility with partners if the permit was renewed for a 30 or 50 year permit, given that the species is not rare in Wisconsin.

- **Pros and cons**
- **Benefits of getting started now?**

C. Achieve the “big picture” objective—work on ESA policy change

- Get the ESA changed so that it recognizes distinct populations of invertebrates, and get the Wisconsin Karner population de-listed. Because the Karner populations in Wisconsin are doing well, does it make sense to keep spending money to recover them? The HCP needs to speak with a unified voice about our success.
- Jimmy mentioned that we should figure out what the Karner program is costing the partners, and what opportunities the partners are losing by spending money on it. We need coverage under the Act, but we need to reduce the cost of business.
- Jimmy thinks that the ESA will stay, but that there will not be major changes to it. If we would like to effect changes to the Act, we shouldn't go through USFWS, but through conservation groups talking to their congressional representatives.

D. Reduce recovery goals to achieve recovery

- This fourth option was brought up by Lori. However, the USFWS has no incentive to change the recovery plan. This could be a “plan b” if federal policy cannot be changed.

DISCUSSION ON THE OPTIONS

- During our meeting with the USFWS in October, the HCP should bring up that we think that a short term renewal would be pointless from a safe harbor point of view, but that we don't want a long-term renewal if it's going to be status-quo. However, if we can streamline and reduce the cost of business, a long-term renewal is more feasible. Dave suggested that the HCP should submit a proposal to the USFWS including the changes we want.
- Darrell brought up that each partner should identify the FTE costs, and the top ways to streamline the process (do things more efficiently).
- Jimmy mentioned that we should set up a timeline.
- Steve mentioned that the new agreement should be flexible and biologically sound.
- Dave suggested bringing back the communications task group, so partners can begin to work on spreading the “big picture” message.

Decision: Have HCP partners work both on influencing federal policy changes related to a provision for distinct population segments for invertebrates, and simultaneously to work on streamlining HCP implementation guidelines, protocols and processes and to package a streamlined approach in an extended permit proposal to USFWS that reduces costs while continuing to manage Karners in a biologically sound manner.

- Partners should do a cost analysis on what current Karner management costs, and what the new streamlined way (the proposal way that we discuss today) will cost.
- This approach should be brought to partners from the IOC in deciding on a permit extension period.

Action Item: Dave to summarize the IOC discussion and decision in a heads-up memo to each partner that includes:

- **Summarize IOC discussion**

- Ask partners to begin to think of how they can gather cost estimates
- Streamlined proposal being developed or considered
- Begin looking for feedback from partners on costs incurred and streamlining ideas
- Timeline set by IOC

STREAMLINING (especially in light of renewing permit)

1. Restructure management guidelines
 - Put documents on management all on DNR website to improve several efficiencies
 - Also put User's guide to HCP on website
2. Pre-management survey exemption
 - Change so don't need to do them every time
 - Use GIS model to determine if pre-management survey is necessary
 - If forestland is third-party certified, i.e. SFI, can certain monitoring be discontinued?
Can this be a justification to reduce pre-/post- management monitoring requirements?
3. Partner orientation program (for training and monitoring)
 - See item number one
4. Mitigation
 - Develop standard set of criteria
 - Distinguish Permanent take vs. Temporary take
 - Implement a "Banking/Trading" credit system for partners—suggested by Matt.
Remember that butterflies cannot be translocated across ecoregions
 - Dave is working with Cathy C. on mitigation.
5. Long-term management commitments by county forests should be reviewed. Already some counties would like to make some adjustments in light of new findings at some sites.
6. Recovery items in ITP should be reviewed in light of final Recovery Plan and KBB population inventory increases realized through monitoring.
7. Monitoring improvements
 - Stop doing trends monitoring for the HCP (Renewed permit to draw a clear distinction between what is HCP and what is Recovery. Focus trends monitoring on recovery properties.
 - Cause and effect monitoring if needed should continue to be a feature of HCP monitoring.
 - Reduce frequency of post-management monitoring to a sample that reflects conservation measures' performance.
8. Reporting (Automate/GIS)
 - Automate a lands management database.
 - Consider only reporting permanent take, not incidental take, because incidental take is beneficial and because over 50 years, incidental take may be repeated on the same piece of ground over and over. What's the point? If beneficial disturbance is repeated on a 5-year rotation, why report incidental take of the same population on the same spot each time? The sum acres of take would be misleading.

9. Re-introductions: Expand knowledge of translocation. Distribute KBB population, i.e. recovery sites. Don't waste lost opportunity and lost time to establish and develop population.
10. Inclusion process: Much progress has been made. Continue to streamline these processes.
11. Further streamline amendment process for HCP, ITP, etc.
 - Fast-track approval process for minor amendments
12. Cost estimating. To extend the permit for a significantly longer term than originally believed, partners will likely need to weigh the cost against the benefits.
13. Safe Harbor
 - To incorporate a SH amendment into the HCP for an ITP renewal will take more time than originally anticipated in the DNR's initial proposal. Therefore, the IOC recommends that the USFWS coordinate with SCF and the FWS' Partners program separately from the HCP renewal process if it is the Service's desire to create more timely assurances to encourage private land conservation.
14. Develop a system so partners can get credit for doing proactive conservation. Why would partners do proactive conservation 20 years from now with no incentive?

Realize that if the ITP is renewed for 50 years, the amount of take allowed should be increased because of recurring management practices. However, the HCP *needs* to continue land management practices (such as burning and mowing) to maintain Karner habitat (i.e. disturbance is necessary for lupine to grow). **So, management should not be classified as "take" when it is actually conservation. NO NET LOSS OF CONSERVATION is a better way to think of long term conservation than measuring so many acres of incidental take and multiplying this times the number of management rotations over a 50 (proposed total of 60) year period. Measuring take serves no good conservation purpose for a disturbance-dependent species.**

Proposal Timeline

- Heads up to all partners within 2 weeks
- Proposal outline to IOC for comment week before Nov. 9th IOC meeting. Discuss at meeting.
- Second draft by mid January 2006
- Review w/ partners at February HCP whole team meeting; entertain comments.
- Take final proposal to USFWS at April 6-month review
- Begin negotiations.
- Will need to go to public open house for comment

5. Closing

- Meeting was adjourned at 2:10 pm
- November 9th meeting at Schmeeckle's in Stevens Point
- This meeting's venue was very good, and lunch was excellent (from Atlanta Bread Company). Thanks to Matt K. and ATC for hosting the meeting.